

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/15/11

UNITED STATES OF AMERICA

CONSENT ORDER OF
FORFEITURE

-v.-

BRIAN URRARO,

09 Cr. 523 (DAB)

Defendant.

WHEREAS, on or about May 21, 2009, BRIAN URRARO (the "defendant"), and others, were charged via Indictment 09 Cr. 523 (DAB) (the "Indictment"), with conspiracy to commit bank and wire fraud, in violation of 18 U.S.C. § 1349 (Count One);

WHEREAS, the Indictment included a forfeiture allegation, seeking forfeiture to the United States, pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 982, and 28 U.S.C. § 2461, any property constituting or derived from proceeds obtained directly or indirectly as a result of the offenses alleged in Counts One through Fifteen of the Indictment, including but not limited to at least \$10,000,000 in United States currency, in that such sum in aggregate is property representing the approximate amount of proceeds obtained as a result of the offenses alleged in Counts One through Fifteen of the Indictment;

WHEREAS, on or about September 13, 2010, the defendant pled guilty to Count One of the Indictment, pursuant to a plea agreement with the Government;

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approached the Government offering to pay restitution,
the defendant

WHEREAS, the defendant consents to a money judgment in the amount of \$70,000 in United States currency, representing a portion of the proceeds obtained by members of the conspiracy as a result of the offense charged.

IT IS HEREBY STIPULATED AND AGREED, by and between the plaintiff, United States of America, by its attorney Preet Bharara, United States Attorney, Assistant United States Attorneys Mark D. Lanpher and Julian Moore, of counsel, and the defendant, and his counsel, Kevin James Keating, Esq. that:

1. As a result of the offense charged in Count One of the Indictment, to which the defendant pled guilty, a money judgment in the amount of \$70,000 in United States currency shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Order of Forfeiture is final as to the defendant, BRIAN URRARO, upon entry of this order, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. Upon execution of this Order of Forfeiture, and pursuant to 21 U.S.C. § 853, the United States Marshals Service shall be authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

4. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this order, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

5. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the defendant's name and case number.

6. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Rule 32.2 (e) of the Federal Rules of Criminal Procedure.

7. The Clerk of the Court shall forward three certified copies of this Order to Assistant United States Attorney Sharon Cohen Levin, Chief of the Asset Forfeiture Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

8. The signature pages of this order may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

PREET BHARARA
United States Attorney for the
Southern District of New York
Attorney for Plaintiff

By: 

MARK D. LANPHER / JULIAN MOORE
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2399 / 2473

2/3/11
DATE

BRIAN URRARO

By: 

BRIAN URRARO

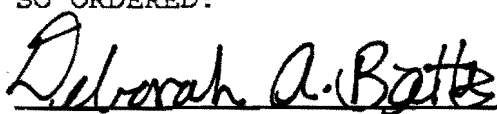
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DATE

By: 

KEVIN JAMES KEATING, ESQ.
Attorney for Defendant
666 Old Country Road, Suite 501
Garden City, NY 11530
(516) 222-1099

2/2/11
DATE

SO ORDERED:


HONORABLE DEBORAH A. BATTS
UNITED STATES DISTRICT JUDGE

February 7, 2011
DATE